

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

**JANICE JOHNSON KUHN,
Plaintiff,**

v.

Case No. 05C1228

**FRANK J. KEHRWALD, et al.,
Defendants.**

DECISION AND ORDER

On December 4, 2006, plaintiff filed a motion pursuant to Fed. R. Civ. P. 59(e) to alter or amend my November 22, 2006 judgment. A party may use Rule 59(e) to direct a district court's attention to newly discovered material evidence or a manifest error of law or fact, enabling the court to correct its own errors, thereby avoiding unnecessary appellate procedures. Russell v. Delco Remy Div. of Gen. Motors Corp., 51 F.3d 746, 749 (7th Cir.1995). However, the rule may not be used as a vehicle for a party to undo its own procedural failures, and it certainly does not allow a party to introduce new evidence or advance arguments that could and should have been presented to the court prior to the judgment. LB Credit Corp. v. Resolution Trust Corp., 49 F.3d 1263, 1267 (7th Cir.1995).

Plaintiff's submissions, including the December 11, 2006, submission, do not meet the criteria of the rule. Plaintiff merely rehashes arguments previously raised and rejected or submits evidence having nothing to do with the matter at hand.

Therefore, for the reasons stated above, as well as in my November 22, 2006, decision and order,

IT IS ORDERED that plaintiff's motion to amend the judgment is **DENIED**.

Dated at Milwaukee, Wisconsin this 13 day of December, 2006.

/s _____
LYNN ADELMAN
District Judge